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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR 09-00643 SBA
14 Plaintiff,) STIPULATION AND ORDER
15 v.) CONTINUING SENTENCING
16 ERIK HARDING,)
17 Defendant.)
18 _____)

19
20 Plaintiff, by and through its attorney of record, and defendant, by and through his
21 attorney of record, hereby stipulate and ask the Court to order as follows:

22 1. Sentencing for defendant Erik Harding in this matter is currently scheduled for 10
23 a.m. on Tuesday, May 4, 2010.

24 2. The parties request that this hearing be continued until 10 a.m. on Tuesday, May
25 18, 2010, in order to provide counsel for the government and defendant to evaluate whether
26 defendant is safety-valve eligible and to submit sentencing memoranda which address that issue.

27
28 STIPULATION AND ORDER RESCHEDULING
HEARING; EXCLUDING TIME

1 3. United States Probation Officer Christina Carruba does not object to the requested
2 continuance.

3 IT IS SO STIPULATED.

4 JOSEPH P. RUSSONIELLO
5 United States Attorney

6 Dated: April 26, 2010

7 _____
8 /s/
9 GARTH HIRE
10 Assistant United States Attorney
11 Attorney for United States of America

12 Dated: April 26, 2010

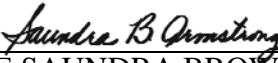
13 _____
14 /s/
15 MARTHA BOERSCH, ESQ.
16 Attorney for Defendant
17 Erik Harding

18 **ORDER**

19 FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT:

20 The currently scheduled May 4, 2010, sentencing hearing is vacated as to defendant Erik
21 Harding. A sentencing hearing for defendant Erik Harding is now scheduled for 10:00 a.m. on
22 May 18, 2010.

23 DATED: 4/27/10

24 
25 HONORABLE SAUNDRA BROWN ARMSTRONG
26 UNITED STATES DISTRICT JUDGE